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2018 MAR 26 A 9:41

CLERK, US DISTRICT COURT  
NO. DIST. OF CA.

[Handwritten signature]

Your Name: Mr. John Andrew Hassel

Address: 150 Otis Street, Apt. 505, S.F., Ca. 94103

Phone Number: 415.558.8589-Tel.

Fax Number: 415.967.6490

E-mail Address: purpleandgold568@gmail.com

Pro Se Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Mr. John Andrew Hassel,

Plaintiff,

vs.

Monique Crossley, Bldg. &amp; Prop. Mgr.,

et al,

Defendant.

C V 18 1839 DMR  
Case Number [leave blank]

## COMPLAINT

## DEMAND FOR JURY TRIAL

Yes ☐ No ☒

## PARTIES

1. Plaintiff. [Write your name, address, and phone number. Add a page for additional plaintiffs.]

Name: Mr. John Andrew Hassel

Address: 150 Otis Street, Apt. 505, S.F., Ca. 94103

Telephone: 415.558.8589

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## 2. Defendants. [Write each defendant's full name, address, and phone number.]

## Defendant 1:

Name: Monique Crossley, Bldg. &amp; Prop. Mgr., Swords-to-Plowshares

Address: 150 Otis Street Ste. 108, 1st. lobby level, S.F., Ca. 94103

Telephone: 415.967-6480 ext. 108

## Defendant 2:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

## Defendant 3:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

## JURISDICTION

[Usually only two types of cases can be filed in federal court, cases involving "federal questions" and cases involving "diversity of citizenship." Check at least one box.]

## 3. My case belongs in federal court

under federal question jurisdiction because it involves a federal law or right.

[Which federal law or right is involved?] HUD, Title 24 eCFR-ss-(5.609)(c)(16) and (17.)).

under diversity jurisdiction because none of the plaintiffs live in the same state as any of the defendants and the amount of damages is more than \$75,000.

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**VENUE**

[The counties in this District are: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo, or Sonoma. If one of the venue options below applies to your case, this District Court is the correct place to file your lawsuit. Check the box for each venue option that applies.]

4. Venue is appropriate in this Court because:

- ☒ a substantial part of the events I am suing about happened in this district.
- ☐ a substantial part of the property I am suing about is located in this district.
- ☐ I am suing the U.S. government, federal agency, or federal official in his or her official capacity and I live in this district.
- ☒ at least one defendant is located in this District and any other defendants are located in California.

**INTRADISTRICT ASSIGNMENT**

[This District has three divisions: (1) San Francisco/Oakland (2) San Jose; and (3) Eureka. First write in the county in which the events you are suing about happened, and then match it to the correct division. The San Francisco/Oakland division covers Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Sonoma counties. The San Jose division covers Monterey, San Benito, Santa Clara, Santa Cruz counties. The Eureka division covers Del Norte, Humboldt, Lake, Mendocino counties, only if all parties consent to a magistrate judge.]

5. Because this lawsuit arose in San Francisco County, it should be assigned to the San Francisco Division of this Court.

**STATEMENT OF FACTS**

[Write a short and simple description of the facts of your case. Include basic details such as where the events happened, when things happened and who was involved. Put each fact into a separate, numbered paragraph, starting with paragraph number 6. Use more pages as needed.]

6.)The tenant is 'Developmentally and Catastrophically Disabled','under the HUD / VASH Voucher Program is entitled to the exclusion of the resources from counting as 'Gross Income','when determining eligibility for VA domicillary care'

7.)The tenant-veteran has requested upon each annual re-certification to be granted the reasonable accomodations for the Enhanced Minimum Rent of \$ 0.0 /mo.(HUD-50058.)

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8.)'The Tenant was given an Informal Hearing,in Sept. 2016','the Hearing Officer,Luara Goldin,did not afford an adequate review of the circumstances raised in session,about the constant increases in rent,not affording exclusions of the resources..?

9.)' I asked for informal hearing again on: 1/20/17', and have not been afforded reply..?

(See R.B.A., Ex.-[Gmail's],Notice of Action's and Replie's)

10.)'I tried to maintain communications with the HUD staff & STP Bldg. & Property Mgr's.', my last attempt to enforce HUD and Other Federal regulations by email to Monique Cross-ley,Bldg. & Prop. Mgr. was on:07/08/17, via email's',with no reply as of yet..!'

11.)'I've also, asked several HUD/ VASH Case Mgr's for thier mediation assistance with the dispute for ,'No Rent To Pay','all of them claimed Neutral Stand's','No authority over the landlord rent agreement or lease violation's..!!'

(See Ex-[HUD / VASH Cse. Mgr's Involved Listed ]

12.)'Furthermore,the HUD / VASH ,Nick Madsen,Case Bldg. Supv.','has been informed of the breach-of-contract found in the VA Medical Benefits Package,which provide 'Domicilliary Care',or the provision of permanent residence for the Veteran disabled','under: [D.V.A. Title 38 eCFR-ss-(17.47)(c))(2018) and HUD Title 24-eCFR-ss-(8.24).'].

13.)'Because the landlord has refused to afford the reasonable accomodations to the Tenant-Veteran-Sr.-Disabled is suffering from financial stress, and embarassment'.

14.)'Hence,the Defendant'(s) has violated the Federal regulations for more than five(5-yr.s) since the date of lease on:11/19/12,and should refund all rent ,deposits paid,and damages.'

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## CLAIMS

## First Claim

(Name the law or right violated: HUD Title 24-eCFR-ss-(5.609)(c)(16)and (17.))

(Name the defendants who violated it: Monique Crossley,Bldg. & Prop. Mgr.,S.T.P.)

[Explain briefly here what the law is, what each defendant did to violate it, and how you were harmed. You do not need to make legal arguments. You can refer back to your statement of facts.]

15.)HUD Title 24-eCFR-ss-(5.609)(c)(16.)and (17.),provides that the annual income does not include : sbdv.(c)(16)..['a]mounts paid by a State for a person with a Developmental disability living at home to offset the costs of daily expenses', and sbdv.(c)(17) provides amounts required excluded by any other Federal statute'..ie:['SSA Title 20 eCFR-ss-(416.1210)(w)(1)and (2));'which provides for the exclusion of Veterans ,and Social Security Benefits (RSDI and SSI) from counting as income'

16.)The Defendant'(s) did viloate the HUD regulation,upon each annual re-certification

noting the HUD / VASH Voucher provides the at least minimum rent can be set forth using the exclusions from income at \$0.0 /mo. or the Minimum Rent at \$25.00 /mo.

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**DEMAND FOR RELIEF**

*[State what you want the Court to do. Depending on your claims, you may ask the Court to award you money or order the defendant to do something or stop doing something. If you are asking for money, you can say how much you are asking for and why you should get that amount, or describe the different kinds of harm caused by the defendant.]*

17.) I'm asking the court to enforce the HUD and other Federal laws in support of a full refund of all rent and deposit paid to to Swords-to-Plowshares'; in the amount of :[\$ 16,000.00 ],from :11/19/12-to-03/31/18.'?

18.) Due to the omission to act on the part of the S.T.P. Bldg. and Prop. Mgr's the tenant-veteran was harmed,whereby causing financial stress and embarassment',the court must grant Treble Damages in the amount of :[\$48,000.00 ].

19.) The Veteran should be granted HUD /VASH Voucher indicating the Enhanced Minimum Rent TTP \$0.0 /mo. Indefinitely,to use to transfer to 1Bdrm. apt. asap..'

**DEMAND FOR JURY TRIAL**

*[Check this box if you want your case to be decided by a jury, instead of a judge, if allowed.]*

☐ Plaintiff demands a jury trial on all issues.

Respectfully submitted,

Date: 03/16/18

Sign Name:

*Mr. John Andrew Hassel Plaintiff*

Print Name:

Mr. John Andrew Hassel

COMPLAINT

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1|| Mr. John Andrew Hassel  
 2|| Veteran Commons 150 Otis Street,Apt. 505,5th.-fl.  
 3|| San Francisco, California 94103.  
 4|| 415.558.8589-Tel. / 415.967.6490-Fx. -@-S.T.P.  
 5|| Email:['purpleandgold568@gmail.com']  
 6|| In Pro Per, Pro Se,Plaintiff-Tenant-Veteran-Sr.-Disabled.

10|| UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA,  
 11|| SAN FRANCISCO COUTNY.

15|| Mr. John Andrew Hassel , ) CASE # \_\_\_\_\_  
 16|| ...Plaintiff-Tenant , ) Notice of Declaration's by Mr. J.A. Hassel ',in support of [Notice  
 17|| ) of Appeal,Amended Memorandum of Points,Table of Authorities','CD/R discs';  
 18|| --['Vs.']-- ) version of SFHA Informal Hearing','prepared on CD/R approx. 225 MB'.  
 19|| ) Date:\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_.  
 20|| Monique Crossley,Bldg. & Prop. Mgr., ) Time:[\_\_\_\_\_]\_\_\_\_\_  
 21|| Swords-to-Plowshares,et al , ) Place:['450 Golden Gate Ave. 16th.-fl. Clerks Office'];  
 22|| Defendant'(s). ) San Francisco, California 94102. 415.522-2000  
 23|| ) Honorable :['\_\_\_\_\_'].

26|| \*\*\* \*\* [DECLARATIONS BY MR. J.A.HASSEL,IN PRO PER,PRO SE PLAINTIFF-TENANT-VETERAN]\*\*\* \*\*

28||..Introduction':..['I] Mr. John Andrew Hassel,declare as follows':  
 29||.....(1.)['I]m the Plaintiff-Tenant-Veteran-Sr. Disabled in this civil action now before the U.S.D.C.'.   
 30||.....(2.)['I] make the following declarations based upon encounters with the Veterans Commons Staff,S.F.H.A. Staff;  
 31||.....HUD / VASH Case Mgr's Staff,'inre:'Tenant Grievance not affording reasonable accomodations of rent free occupancy'.  
 32||.....(3.)['P]laintiff, has prepared on CD/R disc.,new and material admissible evidence in support of claims for refund of rents  
 33||.....paid,issuance by PHA or VASH for the Enhanced Minimum Rent Agreement for \$ 0.00/ mo. Indefinitely'.  
 34||.....

35||..LEGEND:The following document's are to be used as reference to the record-before-the-agency in .pdf's on CD/R disc,and are true  
 36||.....copies of the self-authenticated admissible evidence,or other correct copies.']::

37   Ex.-[1.],Civil Cover Page, and Consent to Magistrate Judge	2pgs.
38   Ex.-[2.],Application to proceed in forma pauperis	4pgs
39   Ex.[3.],Complaint	6pgs.
40   Ex.-[4.],Waiver of Service of Summons	1pg.
41   Ex.-[5.],Plts. .pdf.doc,NOA,amended Mem. of Pts. and T.O.A.	11pgs.
42   Ex.-[6.],Plt.s pdf. doc,Declarations by Mr.J.A.Hassel	3pgs
43   Ex.-[6A.],Medical Disabilities (see subfldr's below)	36pgs.
44   Ex.-[6A1],SFGH ROI CD Applic.,with KATZ form	5pgs
45   Ex.-[6A2],SFGH ROI COPD LabNtes	6pgs.
46   Ex.-[6A3],VA DEV_GMD Hiliarzone	1pg.
47   Ex.-[6A4],SFGH ROI PodCert_DMII_on12_3_14	7pgs.
48   Ex.-[6A5],UCSF,ROI POD_DMII_40yrs	12pgs.
49   Ex.-[6A6],SFGH Hsebnd. and Competency Status is met	2pgs
50   Ex.-[6A7],SFGH ROI Severe CTS on 5/24/16	3pgs.
51   Ex.-[7.],S.T.P. Bldg. Mgrs. Listed	1pg.
52   Ex.-[8.],Judgement Orders-Unfavorable (see sbfldrs. and sub-sbfldrs below)	116pgs.
53   Ex.-[8A1],PCI rev.on 4/16/16	4pgs
54   Ex.-[8A2],HUD form 903,Complaint	5pgs
55   Ex.-[8A3],HUD reply to inquiry 4/27/16	3pgs
56   Ex.-[8A4],Hassel NPCIC_on_9_27_16	1pg
57   Ex.-[8A5],Hassel NPCIC_on_11_14_16	1pg.
58   Ex.-[8B1],VC AffDef. Hrg. on 8_4_16	12pgs.
59   Ex.-[8B2],SFHA IH Decision_on_9_23_16	7pgs.
60   Ex.-[8B3],SFHA IFH Not Overturned_on_1_19_17	2pgs.

61|| HASSEL DECLARATIONS

----['COVER -- PAGE']----

'cont. on nxt. pg.'

---( 2.)-- 'Cont. on nxt. pg. -- Legend T.O.A.



123|| Declarations LEGEND - cont. Ex. - [14.] Table of Authorities - Other Federal Statutes ISO

124||

125|| Ex.-[14D4.], T.O.A., C.C.P. -ss-1094.5, Abuse of discretion is raised against the Defendant's Staff and H.O.' 2pgs.  
 126|| Ex.-[14D5], T.O.A., F.T.C.A-28 USC-ss-(1361.), USDC compel an employee of an agency to perform. duty owed the Plaintiff 1pg.  
 127|| Ex.-[14D6], " " " " " " -ss-(2675.), Disposition by Fed Agency as Pre-requisite for claim action 1pg.  
 128|| Ex.-[14D7], " " " " " " -ss-(2672.) Admin. Adjustmnt of claims is reliefs prayed 2pgs.  
 129|| Ex.-[14D8], " " " " " " " SSA, Title 42 U.S.C.-ss-(1382a)(b)(24)(2016), Vets Resources are Excluded 8pgs  
 130|| Ex.-[15.], SFHA IFH on DVD /R disc 40min., taped. on: 09/08/16  
 131|| Ex.-[16.], RESERVED For ,Plts. POS Replies by agencies 1pg.

132||-----['END OF LEGEND']-----

133||...\*(4.)-['Factual / Legal Issues in dispute still unresolved']\*

134||-----

135||.....(a.)['A]t the onset, during the first annual re-certification, S.T.P. Monique Crossley, Bldg. & Prop. Mgr. refused to grant the tenant  
 136||.....the reasonable accomodations to exclude the resources from counting as gross income'!?  
 137||.....(b.)['S']ubsequently, after numerous attempts, I flied a formal Grievance on: March 07, 2016, 'rec'd. on: 03/08/16 by: M.C.'!  
 138||.....(c.)['T']he HUD/ VASH Case Mgr. Shannon Kissenger, M.S.W., did not afford mediation with the landlord'; nor support from  
 139||.....thru VA Health care system'!  
 140||.....(d.)['C']onsequently, HUD /VASH Case Mgr. Meshell Nicholas, L.C.S.W., had no rent free apt's. ever by VA, 'fully in  
 141||.....Mis-representation of D.V.A. and HUD /VASH reg's.!?  
 142||.....(e.)['F']inally, HUD / VASH, Wendy Furnas, L.C.S.W., has been very helpfull with other medical services, but thus far was not  
 143||.....capable of getting her Supv., Nick Madsen, L.C.S.W., Veterans Commons Case Mgr. 'to provide adequate review of VA  
 144||.....reg's. supporting domicillary care, and no co-payments for disabled Veterans'!  
 145||.....(f.)['F']urthermore, the HUD / VASH Case Mgr's. were responsible for the Landlord not providing the annual Re-certifications  
 146||.....requirements. that would afford the tenant exclusion of the resources upon redisclosure on application'!  
 147||.....(g.)['F']urthermore, the SFHA Informal Hearing Officer, Laura Goldin, ignored the request for reasonable accomodations  
 148||.....and Abused her discretion upholding the SFHA Notice of Rent Increase /. Changes set forth'!  
 149||.....(h.)['F']urthermore, statements she made during the IFH on DVD/R, are not consistent with HUD form 50058, in that she  
 150||.....she stated that, there is no where I could get rent free, and HUD provides the Enhanced Minimum Rent as required'!?  
 151||.....(5.)-['Remedies ,Rights, and Damages Sought']:

152||-----

153||.....(a.)['T']he USDC must view the adverse actions of the Swords-to-Plowshares, Monique Crossley, Bldg. & Prop. Mgr.', as  
 154||.....being in violation of the laws', 'whereupon the Plaintiff has established the Breach-of-contract' !  
 155||.....(b.)['T']herefore, the position of the Defendant(s) is not substantially justified', and the self-authenticated evidence admissible  
 156||.....simply outweighs the tortious acts peformed, which has caused harm to the Plaintiff-Tenant-Veteran-Sr.-Disabled'!  
 157||.....(c.)['Thus: The court must Grant Summary Judgment favorably for the Plaintiff-Aggrieved Party'!  
 158||.....(d.)['D']amages for a full refund of rent and deposits paid in the amount :['\$15,661.00], with Treble damages for: ['\$48,000.00']!  
 159||.....(e.)The Plaintiff believes he has the right to be Issued a SFHA Section 8 -PBV for the Enhanced Minimum Rent in the  
 160||.....amount of :['\$0.00 /mo.], Indefinitely, with Immediate Transfer to 1-bdrm apt., with exclusions of the resources annually'!  
 161||.....(6.)-['CERTIFICATION']:

162||-----

163|| .....['I] declare under penalty of perjury that the foregoing is true and correct'.  
 164|| .....Executed on this day, Friday :['March 23, 2018], Respectfully submitted by};  
 165|| .....['Mr. J.A. Hassel / Plaintiff-Tenant-Veteran-Sr.-Disabled']:  
 166|| .....signature: ['Mr. J.A. Hassel / Plaintiff-Tenant']  
 167|| HASSEL DECLARATIONS --- (3) --- ['E.O.F.'] \*\*\* \*\* \*\*